

Appendix Q.

Individual Committee Member Letter

Sexually Violent Persons Transitional Facility Siting Advisory Committee

July 12, 2005

TO: Secretary Helene Nelson, Department of Health and Family Services
Secretary Matthew Frank, Department of Corrections

FROM: Stan Stojkovic, Chair
Sexually Violent Persons Transitional Facility
Siting Advisory Committee

RE: Committee Final Report Limitation

My purpose in this letter is to express my thoughts regarding a limitation with the report that you received from the Sexually Violent Persons Transitional Facility Siting Advisory Committee dated July 12, 2005 and to include some recommendations that I believe will assist the state in finding locations for the housing of sexually violent persons placed on supervised release. I must say that over the past nine months that I chaired the committee the efforts and dedication of committee members, for the most part, to fulfill the charge as mandated in 2003 Wisconsin Act 187 were exemplar. The committee diligently pursued its mandate, and did everything in its power to find three possible locations for the housing of sexually violent offenders placed on supervised release. As indicated in the report, we were not able to fulfill our legislatively mandated charge due to a number of barriers the committee faced.

Of the barriers identified in the report, the one that proved to be the most difficult to address by the committee was the political barrier. As documented in the report, the committee often times faced ignorant or indifferent politicians at every turn in the deliberative and planning processes. What was assumed to be a receptive political body in Milwaukee County at the beginning of our work in October, 2004 turned out to be a contentious and unreasonable body that chose to malign the committee and its efforts all under the pretense that the issue of housing sexually violent offenders within Milwaukee County was the job of the "state" and not Milwaukee County. The rancorous second public hearing, letters, e-mails, and telephone calls from local political leaders to members of the committee served to discourage public debate surrounding the importance of the issues and further limited discussion on the ramifications to the county if three locations could not be offered to the state for consideration.

At one level, the committee was doomed to failure from the beginning due to the political climate in Milwaukee County, and we attempted in the report to show how this political

barrier and other barriers that we faced precluded us from fulfilling our prescribed charge. Nevertheless, it is my view that the report did not go far enough and did not offer recommendations from which further effort could be directed to aid the state in finding possible locations within Milwaukee County to house sexually violent offenders placed on supervised release. We state in the report that we do believe locations to house sexually violent offenders placed on supervised release in Milwaukee County can be found, but that for this to happen, serious attention and efforts must be directed at addressing and dealing with the barriers we identified. To that end, I believe, that the recommendations the committee discussed, but ultimately decided not to place in the report, are important in carrying efforts forward by the state. I offer them here for your consideration.

First, a public education campaign must be developed and promoted to all 72 counties regarding sexually violent offenders and the responsibility of state, county, and local officials to manage them once placed on supervised release. Additionally, the state should do more to educate the public about what the 980 law means both in substance and practice and the value of the law to the long term safety of communities across the state of Wisconsin. It became apparent to the committee early on in its work that the state does have excellent personnel within DHFS who can explain the law, its implementation, and its operation, but does a less than adequate job in getting critical information out to the general citizenry and political leaders about the 980 law. In this regard, proactive efforts directed toward educating the public about the 980 law should be an on-going and continuous effort employing many different public dissemination venues. Without this type of effort, public discussion becomes lost and directed toward sensationalistic accounts of sexually violent offenders and their crimes such that public awareness and sophistication regarding the complexity of issues surrounding the management of them within communities is superficial at best. The state and its citizens are not best served by having such limited and jaundiced views when making critical decisions on how sexually violent offenders ultimately will be supervised in communities.

Second, the state should consider working with counties to create permanent committees within each county to aid in the identification of potential housing locations for sexually violent persons placed on supervised release and to assist in public education as stated above. The seriousness of sexually violent persons and how best to manage them confronts all counties in Wisconsin, and as we stated in the report, it is difficult for every county to address this issue such that community safety is enhanced and treatment provided to these offenders. All 72 counties in Wisconsin are different on many dimensions. This permanent committee would work with state, county, and local officials to best determine how sexually violent offenders placed on supervised release would be best managed within a particular county. The state could be of tremendous assistance to individual counties so they would be prepared to manage sexually violent offenders placed on supervised release given the demands, resources, and expectations of any particular county's citizens and their elected officials.

Third, and most importantly, the state should consider, in the case of Milwaukee County, requesting a court to order the county to build a facility to house sexually violent offenders placed on supervised release. It is painfully obvious to me that under current political arrangements, Milwaukee County elected officials will never accept their role and responsibility in the management of sexually violent persons placed on supervised release. The efforts of this committee, as well as other committees and entities, have proven to be unsuccessful in garnering the necessary political support to find possible locations for the housing of sexually violent offenders deemed appropriate for supervised release. Without a court order in Milwaukee County, there is no way to bring the citizenry and county and local officials to the table. The current situation cannot be allowed to continue. As you know, if the state is not able to find locations within Milwaukee County to house sexually violent persons placed on supervised release, there is a possibility the 980 law could be struck down as unconstitutional by the courts. If this were to occur, it would make all communities within Wisconsin unsafe.

Finally, I want to thank you for the privilege to serve the citizens of Wisconsin by being appointed to this important committee. I appreciated this opportunity, and I hope the ideas and concerns raised in this letter and the report will aid the state in addressing this very important issue of how best to manage sexually violent persons placed on supervised release within counties across the state of Wisconsin.

Sincerely,

Stan Stojkovic, Chair
Sexually Violent Persons Transitional Facility Siting Advisory Committee